

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 1:08CR00435-001
)	
Plaintiff,)	JUDGE: JAMES S. GWIN
)	
vs.)	ORDER
)	
RAFAEL HEARD,)	
)	
Defendant.)	

This matter was heard on February 10, 2016 upon the request of the United States Pretrial and Probation Office for a finding that defendant violated the conditions of supervised release. The defendant was present and represented by Attorney Darin Thompson.

The violation report was referred to Magistrate Judge Kenneth S. McHargh who issued a Report and Recommendation on January 22, 2016 [Doc. 142]. No objections having been filed the Court adopted the Magistrate Judge's Report and Recommendation and found that the following terms of supervision had been violated:

- 1) failure to pay restitution;
- 2) failure to follow the directives of the Probation Officer;
- 3) failure to provide truthful information to the Probation Officer.

The Court found the violations to be Grade C and that defendant was a Criminal History Category VI. The Court, after considering the Section 3553(a) factors, committed the defendant to the custody of the Bureau of Prisons for a period of 10 months with credit for time served in

federal custody on the instant violation. Upon release from incarceration, defendant's federal supervised release shall terminate.

The defendant is remanded to the custody of the U.S. Marshal, Cleveland, Ohio.

IT IS SO ORDERED.

Dated: February 10, 2016

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE